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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,868	08/22/2001	Frank Burgel	3864-8	6357

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EXAMINER	
CORRIELUS, JEAN M	

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/933,868	BURGEL ET AL.	
	Examiner	Art Unit	
	Jean M Corrielus	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 11-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 11-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the amendment filed on December 22, 2004, in which claims 1-9 and 11-29 are presented for further examination.

Response to Arguments

2. Applicant's arguments with respect to claims 1-9 and 11-29 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9 and 11-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson US patent no. 5,493,490 in vie of Kahn et al., article entitled "A web-based system for assessing and searching for designs.

As to claim 1, Johnson discloses the claimed "enabling a user to input user-selected design parameters for a image" enabling user to provide the desired interest (col.2, lines 10-16); "generating a sample image according to the user selected design parameters and confirming the user selected design parameters" based on the user description, the system links product picture, environment picture and textual picture together in a customized proposal (col.2, lines 17-27); "uploading user input substantive data"(col.2, lines 17-36; col.5, lines 27-29); "building a scientific image according to the user selected design parameters and the user input substantive

data" selecting appropriate picture and text building blocks to fill the proposal (col.5, lines 27-55); and "delivering the scientific image according to a desired delivery process" print the completed proposal templates to provide the user with a customized, printed proposal that describes features and benefits of the product (col.5, lines 35-55). Johnson does not explicitly disclose a scientific poster. However, Johnson discloses an electronic system for creating customized product proposals stores a plurality of picture and text segments to be used to create a proposal, wherein such proposal is a slide presentation, which includes all images showing slide independently of whether they were created digitally by a presentation program. Applicant should duly note that many scientific poster falls into the class of slide presentation, in which it design like a single slide, wherein such class includes the cartoons in newspaper and books as well as other kinds of images. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Johnson's system by incorporating in the electronic system the use of generating scientific poster, since it is admitted such a modification is apparent to those skilled in the art to cover any adaptations or variations. So, one having ordinary skill in the art at the time the invention was made would have found it motivated to use such a modification in Johnson to provide the enhanced capability of efficiently and dynamically creating customized printed image for potential purchasers of a product.

Johnson does not explicitly disclose the use of posting the scientific poster image on an Internet web page.

Kahn, on the other hand, discloses the use of posting the scientific poster image on an Internet web page (see page 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references, by

incorporating the use of posting the scientific poster image on an Internet web page, in the same conventional manner as disclosed by Kahn (fig.1 and page 1). One having ordinary skill in the art at the time the invention was made would have found it motivated to use such a combination for the purpose of enabling users to select designs with specifics characteristics.

As to claim 2, Johnson discloses the claimed "wherein step (a) is practiced by enabling the user to input user-selected design parameters including at least one of poster size, orientation, figure placement, resolution, paper type, and colors" col.34, lines 7-55).

As to claim 3, Johnson discloses the claimed "wherein step (a) is practiced by enabling the user to select a poster size from a plurality of predetermined poster sizes or enabling the user to input a custom poster size" (col.9, lines 35-50).

As to claim 4, Johnson discloses the claimed "wherein step (a) is practiced by providing access to a poster gallery including a plurality of poster samples and enabling the user to input poster design parameters by selecting one of the poster samples" (col.10, lines 6-44).

As to claim 5, Johnson discloses the claimed "providing the image of the scientific poster to the user for review and effecting any necessary edits according to the user's review" (col.11, lines 10-67).

As to claim 6, Johnson discloses the claimed "storing the user-input substantive data in a dedicated vault and providing user-only access to the user's dedicated vault" (col.10, lines 5-27).

As to claim 7, Johnson discloses the claimed "wherein step (d) is practiced by linking designated files from the user's dedicated vault" (col.10, lines 38-56).

As to claim 8, Johnson discloses the claimed "wherein when one or more of the designated files is modified, step (d) comprises updating the scientific poster image according to the modified files" (col.5, lines 5-55).

As to claim 9, Johnson discloses the claimed "wherein step (e) is practiced by printing the scientific poster image and shipping the printed image to the user" (col.5, lines 5-55).

As to claim 10, Johnson discloses the claimed "wherein step (e) is practiced by posting the scientific poster image on an Internet web page" (col.5, lines 5-55).

As to claim 11, Johnson discloses the claimed "enabling password or ID access to the internet web page" (col.10, lines 38-56; col.14, lines 6-20).

As to claim 12, Johnson discloses the claimed "wherein step (e) is practiced by incorporating hyperlinks in the web page that lead to supplementary information"(col.10, lines 38-56).

As to claim 13, Johnson and Kahn disclose substantially the invention as claimed. In addition, Johnson discloses the claimed "wherein step (a) is practiced by enabling the user to input drill-down components of the scientific poster, wherein step (c) is practiced by uploading drill-down component data from the user, and wherein step (d) is practiced by incorporating the drill-down components into the scientific poster image and enabling access to the drill-down components through the image" (col.9, lines 14-65).

As to claim 14, Johnson discloses the claimed "wherein step (a) is practiced by enabling the user to input dynamic components of the scientific poster, wherein step (c) is practiced by uploading dynamic component data from the user, and wherein step (d) is practiced by incorporating the dynamic components into the scientific poster image and enabling access to the dynamic components through the image" (col.5, lines5-67).

As to claim 15, Johnson and Kahn disclose substantially the invention as claimed. In addition, Johnson discloses the claimed "wherein step (a) is practiced by enabling the user to input dynamic components of the scientific poster, wherein step (c) is practiced by uploading dynamic component data from the user, and wherein step (d) is practiced by incorporating the dynamic components into the scientific poster image and enabling access to the dynamic components through the image" (col.8, lines 15-64).

As to claim 16, Johnson discloses the claimed, "wherein the dynamic components comprise audio, visual or audio/visual recordings relating to a subject of the scientific poster" (col.5, lines 5-65).

As to claim 17, Kahn discloses the claimed "storing data for processing the scientific poster according to searchable database categories" (fig.1, page 1).

As to claim 18, Johnson discloses the claimed "wherein the searchable database categories comprise at least one of author, subject matter, conference, and date"(col.12, lines 20-col.13, line 23).

As to claim 19, Johnson discloses the claimed "after step (d), the step of editing the scientific poster image according to user instructions"(col.15, lines 18-67; col.16, lines 16-65).

As to claim 20, Johnson discloses the claimed "enabling selective access by a plurality of users to the scientific poster image in a collaborative virtual laboratory, wherein the editing step is performed according to an instruction from any of the plurality of users with selective access" (col.15, 18-67; col.16, lines 16-65).

As to claim 21:

Johnson and Kahn substantially disclose the invention as claimed. All the limitations of claim 21 have been mentioned in the rejection of claim 1, except Johnson fails to disclose the use of enabling access to the scientific posters via the global network.

Kahn, on the other hand, discloses the use of posting the scientific poster image on an Internet web page (see page 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references, by incorporating the use of posting the scientific poster image on an Internet web page, in the same conventional manner as disclosed by Kahn (fig.1 and page 1). One having ordinary skill in the art at the time the invention was made would have found it motivated to use such a combination for the purpose of enabling users to select designs with specifics characteristics.

As to claims 22-27, the limitations of claims 22-27 have been noted in the rejection of claims 2-9 and 11-20 above. They are, therefore, rejected under the same rationale.

As to claim 28, Johnson discloses the claimed "at least one computer running a computer program that effects input information relating to user selected design parameters" enabling user to provide the desired interest (col.2, lines 10-16); "building a scientific image according to the user selected design parameters and the user input substantive data" selecting appropriate picture and text building blocks to fill the proposal (col.5, lines 27-55); and "delivering the scientific image according to a desired delivery process" print the completed proposal templates to provide the user with a customized, printed proposal that describes features and benefits of the product

(col.5, lines 35-55). Johnson does not explicitly disclose a scientific poster. However, Johnson discloses an electronic system for creating customized product proposals stores a plurality of picture and text segments to be used to create a proposal, wherein such proposal is a slide presentation, which includes all images showing slide independently of whether they were created digitally by a presentation program. Applicant should duly note that many scientific poster falls into the class of slide presentation, in which it design like a single slide, wherein such class includes the cartoons in newspaper and books as well as other kinds of images. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Johnson's system by incorporating in the electronic system the use of generating scientific poster, since it is admitted such a modification is apparent to those skilled in the art to cover any adaptations or variations. So, one having ordinary skill in the art at the time the invention was made would have found it motivated to use such a modification in Johnson to provide the enhanced capability of efficiently and dynamically creating customized printed image for potential purchasers of a product.

Johnson does not explicitly disclose the use of posting the scientific poster image on an Internet web page.

Kahn, on the other hand, discloses a system server running a server program (fig.1) and posts the scientific poster image on an Internet web page (see page 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references, by incorporating the use of posting the scientific poster image on an Internet web page, in the same conventional manner as disclosed by Kahn (fig.1 and page 1). One having ordinary skill in the art at the time the invention was made would have found it

motivated to use such a combination for the purpose of enabling users to select designs with specifics characteristics.

As to claim 29, Johnson discloses the claimed "enabling a user to input user-selected design parameters for a image" enabling user to provide the desired interest (col.2, lines 10-16); "generating a sample image according to the user selected design parameters and confirming the user selected design parameters" based on the user description, the system links product picture, environment picture and textual picture together in a customized proposal (col.2, lines 17-27); "uploading user input substantive data"(col.2, lines 17-36; col.5, lines 27-29); "building a scientific image according to the user selected design parameters and the user input substantive data" selecting appropriate picture and text building blocks to fill the proposal (col.5, lines 27-55); and "delivering the scientific image according to a desired delivery process" print the completed proposal templates to provide the user with a customized, printed proposal that describes features and benefits of the product (col.5, lines 35-55). Johnson does not explicitly disclose a scientific poster. However, Johnson discloses an electronic system for creating customized product proposals stores a plurality of picture and text segments to be used to create a proposal, wherein such prôposal is a slide presentation, which includes all images showing slide independently of whether they were created digitally by a presentation program. Applicant should duly note that many scientific poster falls into the class of slide presentation, in which it design like a single slide, wherein such class includes the cartoons in newspaper and books as well as other kinds of images. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Johnson's system by incorporating in the

electronic system the use of generating scientific poster, since it is admitted such a modification is apparent to those skilled in the art to cover any adaptations or variations. So, one having ordinary skill in the art at the time the invention was made would have found it motivated to use such a modification in Johnson to provide the enhanced capability of efficiently and dynamically creating customized printed image for potential purchasers of a product.

Johnson does not explicitly disclose the use of posting the scientific poster image on an Internet web page.

Kahn, on the other hand, discloses the use of posting the scientific poster image on an Internet web page (see page 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references, by incorporating the use of posting the scientific poster image on an Internet web page, in the same conventional manner as disclosed by Kahn (fig.1 and page 1). One having ordinary skill in the art at the time the invention was made would have found it motivated to use such a combination for the purpose of enabling users to select designs with specifics characteristics.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jean M Corrielus
Primary Examiner
Art Unit 2162

May 12, 2005